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10 Attorneys for Plaintiff
FACEBOOK, INC.

11
12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN JOSE DIVISION

15
16 FACEBOOK, INC.,

Case No. 5:08-cv-03468 JF

17 Plaintiff,

FACEBOOK, INC.'S SECOND SET
OF REQUESTS FOR PRODUCTION
TO DEFENDANT HOTLZBRINCK
VENTURES GmBH RELATING TO
PERSONAL JURISDICTION

18 v.

19 STUDIVZ LTD., HOTLZBRINCK
20 NETWORKS GmBH, ^{Inc.} HOLTZBRINCK
VENTURES GmBH, and DOES 1-25,

(SET TWO: 31 - 32)

21 Defendant.

22 YOU ARE HEREBY REQUESTED, pursuant to Rule 34 of the Federal Rules of
23 Civil Procedure, to respond to the following requests for production separately and fully, in
24 writing, and under penalty of perjury, within thirty (30) days after service or whatever date is
25 ordered by the Court, whichever is sooner.
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OHS West:260575901.3

SECOND SET OF REQUESTS FOR PRODUCTION OF
DOCUMENTS TO DEFENDANT HOTLZBRINCK
VENTURES GMBH, CASE NO.: 5:08-cv-03468

1

2 **REQUESTS FOR PRODUCTION**

3 **REQUEST FOR PRODUCTION NO. 31**

4 ALL DOCUMENTS OR COMMUNICATIONS RELATING TO YOUR knowledge of
5 FACEBOOK's legal claims against STUDIVZ, including, but not limited to, the means by which
6 YOU first gained that knowledge.

7 **REQUEST FOR PRODUCTION NO. 32**

8 ALL DOCUMENTS OR COMMUNICATIONS RELATING TO similarities between the
9 FACEBOOK WEBSITE and the STUDIVZ WEBSITES, including, but not limited to, graphical
10 similarities, layout similarities, functional similarities, and feature similarities.

12 Dated: January 30, 2009

13 ORRICK, HERRINGTON & SUTCLIFFE LLP

14 JULIO C. AVALOS
15 Attorneys for Plaintiff
16 FACEBOOK, INC.
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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN JOSE DIVISION

16 FACEBOOK, INC.,

Case No. 5:08-cv-03468 JF

17 Plaintiff,

**FACEBOOK, INC.'S SECOND SET
OF REQUESTS FOR PRODUCTION
TO DEFENDANT HOTLZBRINCK
NETWORKS GmBH RELATING TO
PERSONAL JURISDICTION**

18 v.

(SET TWO: 31-32)

19 STUDIVZ LTD., HOTLZBRINCK
20 NETWORKS GmBH, HOLTZBRINCK
VENTURES GmBH, and DOES 1-25,

21 Defendant.

22 YOU ARE HEREBY REQUESTED, pursuant to Rule 34 of the Federal Rules of
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REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 31

ALL DOCUMENTS OR COMMUNICATIONS RELATING TO YOUR knowledge of FACEBOOK's legal claims against STUDIVZ, including, but not limited to, the means by which YOU first gained that knowledge.

REQUEST FOR PRODUCTION NO. 32

ALL DOCUMENTS OR COMMUNICATIONS RELATING TO similarities between the FACEBOOK WEBSITE and the STUDIVZ WEBSITES, including, but not limited to, graphical similarities, layout similarities, functional similarities, and feature similarities.

Dated: January 30, 2009

ORRICK, HERRINGTON & SUTCLIFFE LLP

JULIO C. AVALOS
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FACEBOOK, INC.

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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN JOSE DIVISION

16 FACEBOOK, INC.,

Case No. 5:08-cv-03468 JF

17 Plaintiff,

FACEBOOK, INC.'S SECOND SET
OF REQUESTS FOR PRODUCTION
TO DEFENDANT STUDIVZ, LTD.
RELATING TO PERSONAL
JURISDICTION

18 v.

(SET TWO: 31 – 63)

19 STUDIVZ LTD., HOTLZBRINCK
20 NETWORKS GmBH, HOLTZBRINCK
VENTURES GmBH, and DOES 1-25,

21 Defendants.

22 YOU ARE HEREBY REQUESTED, pursuant to Rule 34 of the Federal Rules of
23 Civil Procedure, to respond to the following requests for production separately and fully, in
24 writing, and under penalty of perjury, within thirty (30) days after service or whatever date is
25 ordered by the Court, whichever is sooner.

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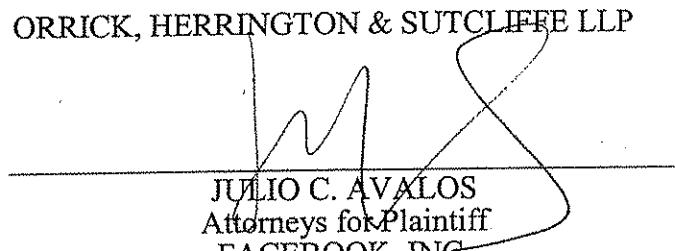
1 **REQUEST FOR PRODUCTION NO. 63**

2 ALL DOCUMENTS AND COMMUNICATIONS that relate to STUDIVZ'S accessing of
3 the FACEBOOK WEBSITE for commercial purposes.

5 Dated: January 30, 2009

ORRICK, HERRINGTON & SUTCLIFFE LLP

JULIO C. AVALOS
Attorneys for Plaintiff
FACEBOOK, INC.



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FACEBOOK, INC.

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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN JOSE DIVISION

15

16 FACEBOOK, INC.,

Case No. 5:08-cv-03468 JF

17

Plaintiff,

**REQUESTS FOR ADMISSION
RELATING TO PERSONAL
JURISDICTION**

18

v.

19

STUDIVZ LTD., HOTLZBRINCK
NETWORKS GmBH, HOLTZBRINCK
VENTURES GmBH, and DOES 1-25,

21

Defendant.

22

PROPOUNDING PARTY: FACEBOOK, INC.

23

RESPONDING PARTY: HOLTZBRINCK VENTURES GMBH

24

SET NO.: ONE (Nos. 1 – 5)

25

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similarities between the FACEBOOK WEBSITE and the STUDIVZ WEBSITES, including, but not limited to, visual similarities, functional similarities, feature similarities, and layout similarities.

Dated: January 30, 2009

ORRICK, HERRINGTON & SUTCLIFFE LLP

JULIO C. AVALOS
Attorneys for Plaintiff
FACEBOOK, INC.

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10 Attorneys for Plaintiff
FACEBOOK, INC.

11
12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN JOSE DIVISION

15
16 FACEBOOK, INC., Case No. 5:08-cv-03468 JF

17 Plaintiff,
18 v.
19 STUDIVZ LTD., HOTLZBRINCK
20 NETWORKS GmBH, HOLTZBRINCK
VENTURES GmBH, and DOES 1-25,

REQUESTS FOR ADMISSION
RELATING TO PERSONAL
JURISDICTION

21 Defendant.

22 PROPOUNDING PARTY: FACEBOOK, INC.

23 RESPONDING PARTY: HOLTZBRINCK NETWORKS GMBH

24 SET NO.: ONE (Nos. 1 – 5)

1 similarities between the FACEBOOK WEBSITE and the STUDIVZ WEBSITES, including, but
2 not limited to, visual similarities, functional similarities, feature similarities, and layout
3 similarities.

4

5 Dated: January 30, 2009

ORRICK, HERRINGTON & SUTCLIFFE LLP

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JULIO C. AVALOS
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FACEBOOK, INC.

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Attorneys for Plaintiff
FACEBOOK, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FACEBOOK, INC.,

Case No. 5:08-cv-03468 JF

Plaintiff,

**REQUESTS FOR ADMISSION
RELATING TO PERSONAL
JURISDICTION**

STUDIVZ LTD., HOTLZBRINCK
NETWORKS GmBH, HOLTZBRINCK
VENTURES GmBH, and DOES 1-25.

Defendant.

PROPOUNDING PARTY: FACEBOOK, INC.

RESPONDING PARTY: STUDIVZ LTD

SET NO.: ONE (Nos. 1 - 22)

1 **REQUEST FOR ADMISSION NO. 16**

2 Admit that all USERS OF STUDIVZ are required to agree to a terms of use agreement
3 prior to receiving full access to the STUDIVZ WEBSITES, their networks, or their features.

4 **REQUEST FOR ADMISSION NO. 17**

5 Admit that since October 2005, COMPUTER CODE for at least one of the STUDIVZ
6 WEBSITES was or has been altered to account for USERS OF STUDIVZ residing in the United
7 States, including, but not limited to, the state of California.

8 **REQUEST FOR ADMISSION NO. 18**

9 Admit that STUDIVZ's business, income, revenue or profit models rely, at least in part,
10 on income from advertising, including, but not limited to, advertisements and advertisement
11 banners placed on the STUDIVZ WEBSITES.

12 **REQUEST FOR ADMISSION NO. 19**

13 Admit that the number of USERS OF STUDIVZ is a factor taken into account by YOU
14 when negotiating the cost of advertising on at least one of the STUDIVZ WEBSITES.

15 **REQUEST FOR ADMISSION NO. 20**

16 Admit that STUDIVZ's revenue is based, at least in part, on the total number of USERS
17 OF STUDIVZ.

18 **REQUEST FOR ADMISSION NO. 21**

19 Admit that at least one of the STUDIVZ WEBSITES was modeled after the FACEBOOK
20 WEBSITE.

21 **REQUEST FOR ADMISSION NO. 22**

22 Admit that YOU have accessed the FACEBOOK WEBSITE for commercial purposes.

23 Dated: January 30, 2009

24 ORRICK, HERRINGTON & SUTCLIFFE LLP

25 JULIO C. AVALOS
26 Attorneys for Plaintiff
27 FACEBOOK, INC.
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11 FACEBOOK, INC.

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN JOSE DIVISION

16 FACEBOOK, INC.,

Case No. 5:08-cv-03468 JF

17 Plaintiff,

18 v.

19 STUDIVZ LTD., VERLAGSGRUPPE
20 GEORG VON HOLTZBRINCK GmbH,
HOTLZBRINCK NETWORKS GmbH,
21 HOLTZBRINCK VENTURES GmbH, and
DOES 1-25,

22 Defendant.

PROOF OF SERVICE

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PROOF OF SERVICE

I am a resident of the State of California and over the age of eighteen years, and not a party to the within action. On January 30, 2009, I served the within document(s):

- REQUESTS FOR ADMISSION RELATING TO PERSONAL JURISDICTION TO HOLTZBRINCK NETWORKS GMBH
- REQUESTS FOR ADMISSION RELATING TO PERSONAL JURISDICTION TO HOLTZBRINCK VENTURES GMBH
- REQUESTS FOR ADMISSION RELATING TO PERSONAL JURISDICTION TO STUDIVZ LTD.
- FACEBOOK, INC.’S SECOND SET OF REQUESTS FOR PRODUCTION TO DEFENDANT STUDIVZ, LTD. RELATING TO PERSONAL JURISDICTION
- FACEBOOK, INC.’S SECOND SET OF REQUESTS FOR PRODUCTION TO DEFENDANT HOTLZBRINCK NETWORKS GmBH RELATING TO PERSONAL JURISDICTION
- FACEBOOK, INC.’S SECOND SET OF REQUESTS FOR PRODUCTION TO DEFENDANT HOTLZBRINCK VENTURES GmBH RELATING TO PERSONAL JURISDICTION

By placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Francisco, California addressed as set forth below on January 30, 2009.

By transmitting via facsimile the document(s) listed above to the fax number(s) set forth below before 5:00 p.m. on October 14, 2008.

By causing personal delivery by First Legal Support of the document(s) listed above to the person(s) at the address(es) set forth below.

By personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

By placing a true and correct copy of the document(s) in a Federal Express envelope addressed as set forth below and then sealing the envelope, affixing a pre-paid Federal Express air bill, and causing the envelope to be delivered to a Federal Express agent for delivery.

**Stephen S. Smith
William Mielke Walker
GREENBERG GLUSKER FIELDS
CLAMAN & MACHTINGER LLP
1900 Avenue of the Stars
Los Angeles , CA 90067
Tel: 310-553-3610
Fax: 310-553-0687
email: wwalker@greenbergglusker.com**

**Attorney for Defendants
STUDIVZ LTD., VERLAGSGRUPPE
HOLTZBRINCK NETWORKS GmBH,
HOTZBRINCK VENTURES GmBH**

Executed on January 30, 2009, at Irvine, California.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Valerie Cloyd